

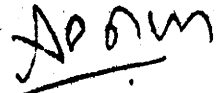
महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६३
बृहन्मुंबई महानगरपालिका क्षेत्रात करावयाच्या
फेरवतलावाबतची नोटीस कलम ३७(१अ) अन्वये प्रसिध्द
करणेबाबत.

महाराष्ट्र शासन,
नगर विकास विभाग,

शासन नोटीस क्रमांक: टिपीबी-४३०४/६२/प्र.क्र.१००/०४/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक: २४ फेब्रुवारी, २००८

शासन निर्णय :- सोबत जोडलेली नोटीस महाराष्ट्र शासनाच्या साधारण राजपत्रात
प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,



(अभिराज गिरकर)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मंत्रालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची नोटीस महाराष्ट्र शासनाचे साधारण
राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग,
(नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट, आझाद
पेठान, मुंबई-१ यांना पाठाविण्यात याव्यात.) दिनांक २०.१२.२००७ रोजीच्या टिप्पणीस
अनुसरून आपणास कळविण्यात येते की, सदर नोटीस शासनाच्या साधारण राजपत्रात प्रसिध्द
करण्यात यावी.

कक्ष अधिकारी (संगणक कक्ष) (नवि-११), नगर विकास विभाग, मंत्रालय, मुंबई ४००
०३२.

(त्यांना विनंती करण्यात येते की, सोबतची नोटीस विभागाच्या वेबसाईटवर प्रदर्शित
करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवृत्तनास्ता (नवि-११).

परक्षेत्र ३७ फाईल.

**Development Control Regulations for
Greater Mumbai.**

- Modification to Regulation 33(10) of
- Directions under section 37(1A) of the Maharashtra Regional and Town Planning Act.

NOTICE

**GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400 032.
Dated the 24th February, 2003.**

No. TFB 4304/62/CR-100/04/UD-11:

Whereas the Government of Maharashtra vide Notification of Urban Department No. DCR-1090/RDP/UD-11, dated 20th February, 1991 has sanctioned the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") under section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 25th March, 1991;

And whereas, the Government of Maharashtra vide Notification of Housing and Special Assistance Department No. SRP-1095/CR-37/Housing Cell, dated 16th December, 1995 has appointed "Slum Rehabilitation Authority" (hereinafter referred to as "the said Authority") under the provisions of section 3-A of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971;

And whereas, according to the provisions of section 2(19) of the said Act the said Authority has been granted the status of the Planning Authority in respect of slum rehabilitation areas for the purpose of implementation of Slum Rehabilitation Scheme in Brihan Mumbai;

And whereas, the Government of Maharashtra vide Notification of Urban Department No. DCR 1095/1209/CR-273/95/UD-11, dated 15th October, 1997 has sanctioned the modified Regulations 33(10) (hereinafter referred to as "the said modified regulation") for effective implementation of Slum Rehabilitation Scheme and which came into force with effect from 15th October, 1997;

And whereas, as per the provisions of clause 7.7 of Appendix-IV (hereinafter referred to as "the said clause") of the said modified regulations, joint development of slum and contiguous non-slum area under any other provisions of regulations are be allowed together in order to promote flexibility of design as well as to raise more resources, provided the FSI on non-slum quantum of area shall be restricted to that permissible in the surrounding zone. Also such a project shall be deemed to be a Slum Rehabilitation Project.

And whereas, the said Authority vide its letter No. SRA/Eng/6014 dated 10/11/2003 has pointed out that, a non slum plot which otherwise falls within receivable zone for utilization of DRC as per provisions of normal regulations, should be entitled for construction upto 2.00 FSI (normal permissible 1.00 FSI + 100% TDR) as per the provision of normal regulation;

And whereas, the Govt. vide order of even No. dated 16/6/2004 and directed under section 37(1) of the said Act to the Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation"), to initiate modification in DCR 33(10) - 7.7;

And whereas, provided in sub-section (1) of section 37 of the said Act, the said Corporation was required to publish a notice regarding the said modification in official gazette within a period of 60 days from the date of issue of the said directions. However, the said Corporation has failed to publish the requisite notice within the stipulated period of sixty days;

Now, in view of the powers vested in it under section 37(1A) of the said Act, the Government finds it expedient to publish the following notice in regard to the said modification, thereby inviting suggestions/objections from the general public within a period of one month from the date of publication of this notice in the official Gazette (Ordinary). Any suggestions/objections on the proposed modifications to be forwarded to the Deputy Director of Town Planning, Greater Mumbai having his office at 'E' Block, ENSA Hutments, Azad Maidan, Mumbai 400 001, who is being appointed as an officer under section 162(1) of the said Act and who will submit his report to Government within 30 days after expiry of above mentioned period.

PROPOSED MODIFICATION

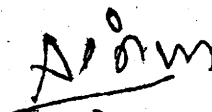
Sr. No.	Existing provision.	Proposed modification.
1	<p><u>D.C.R. 33(10) - 7.7:</u> Wherever slum and municipal/ MHADA property are found together or adjoining, it would be eligible for redevelopment using provisions of both DCR -33(7) and of DCR -33(10). Development of slum and contiguous non-slum area under any other provisions of regulations may be allowed together in order to promote flexibility of design as well as to raise more resources, provided the FSI on non-slum quantum of area shall be restricted to that permissible in the surrounding zone. Such a project shall be deemed to be a Slum Rehabilitation Project. The power under D.C. Regulation 11(4) for shifting and/or interchanging the purpose of designations/</p>	<p><u>D.C.R. 33(10) - 7.7:</u> Wherever slum and municipal/ MHADA property are found together or adjoining, it would be eligible for redevelopment using provisions of both DCR -33(7) and of DCR -33(10). Development of slum and contiguous non-slum area under any other provisions of regulations may be allowed together in order to promote flexibility of design as well as to raise more resources, provided that the FSI of non-slum quantum of area shall be restricted to that permissible in the surrounding zone, inclusive of admissible TDR on non-slum area. Such a project shall be deemed to be a Slum Rehabilitation Project. The power under D.C. Regulation 11(4) for shifting and/ or interchanging the purpose of designations/</p>

	reservations shall be exercised by the Chief Executive Officer, Slum Rehabilitation Authority in respect of slum rehabilitation areas/projects.	reservations shall be exercised by the Chief Executive Officer, Slum Rehabilitation Authority in respect of slum rehabilitation areas/projects.
2	<u>D.C.R. 34 - Appendix VII-11(f)</u> On plots for housing schemes of slum dwellers for which additional FSI is permissible under sub-regulation (10) of Regulation 33.	<u>D.C.R. 34 - Appendix VII-11(f)</u> On plots for housing schemes of slum dwellers for which additional FSI is permissible under sub-regulation (10) of Regulation 33. However, in cases where non-slum plot is amalgamated with the slum plot for the purpose of better planning etc., then DRC will be receivable on the non-slum plot.
3	<u>D.C.R. 33(10) Appendix VII(B) - 10(ii)</u> On plots where Slum Rehabilitation Projects have been taken up or are possible.	<u>D.C.R. 33(10) Appendix VII(B) - 10(ii)</u> On plots where Slum Rehabilitation Projects have been taken up or are possible. However, in cases where a non-slum plot is amalgamated with a slum plot then DRC shall be valid for use on non-slum plot.

Note:- A plan showing the proposed modification is kept open for inspection at the following places -

- 1) Office of Deputy Director of Town Planning, Brihanmumbai, E-Block, ENSA Hutment, Azad Maidan, Mumbai -400 001.
- 2) Office of Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai, Mahapalika Marg, Mumbai - 400 001.

By order and in the name of the Governor of Maharashtra,



(Abhiraj Girkar)

Under Secretary to Government.